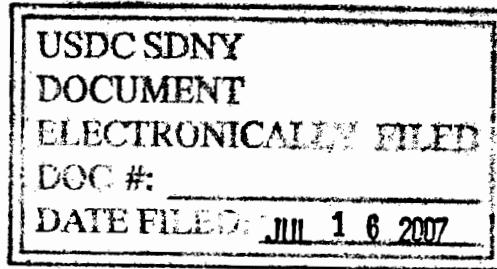


**MOSES & SINGER LLP**

THE CHRYSLER BUILDING

405 Lexington Avenue, NY, NY 10174-1299

Tel: 212.554.7800 Fax: 212.554.7700

www.mosesinger.com

W. Drew Kastner

Direct: (212) 554.7833 Fax: (917) 206.4389

wdrewkastner@mosessinger.com

July 12, 2007

**BY FACSIMILE: (212) 805-0423**

The Honorable Laura T. Swain  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 755  
New York, NY 10007

**Re: Columbia Pictures Industries, Inc. v. Cohen, 07 Civ. 3597**

Dear Judge Swain:

We are writing to confirm adjournments of the July 16, 2007 hearing on Plaintiffs' application for a preliminary injunction and the August 22, 2007 pre-trial conference in the above-referenced matter. This is our second request to adjourn the July 16<sup>th</sup> hearing and our first request to adjourn the August 22<sup>nd</sup> conference. The previous request to adjourn the hearing on Plaintiffs' application for a preliminary injunction was granted. We request these additional adjournments because we continue to be actively engaged in settlement discussions with all of the Defendants subject to the preliminary injunction application and expect to finalize these settlements in the near future. Plaintiffs will, of course, continue to consent to requests by the "settling defendants" for extensions of time to answer the Complaint and Amended Complaint, while settlement negotiations are ongoing.

From my telephone conversation with your law clerk, Mr. Tyler Freedman, we have agreed, pending Your Honor's approval, to consolidate the hearing on Plaintiffs' application and the pre-trial conference into a single hearing to be held on September 12, 2007.

**MEMO ENDORSED**

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel for the unrepresented parties and filing a certificate of compliance within 5 days from the date hereof. Do not file this certification with Chambers.

**MOSES & SINGER LLP**

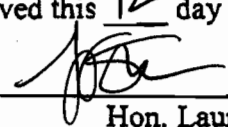
The Honorable Laura T. Swain  
July 12, 2007  
Page 2

Thank you for your attention to this matter.

Respectfully submitted,

  
W. Drew Kastner

Approved this 12 day of July, 2007

  
Hon. Laura T. Swain

DAW:a

cc: Sidney Weisberg, Esq.  
Weisberg & Weisberg  
98 Cutter Mill Road  
Great Neck, NY 11021

Hugh H. Mo, Esq.  
225 Broadway, Suite 2702  
New York, NY 10007

Leah Terranova, Esq.  
120 Walker Street  
New York, NY 10013

Harold Frechter, Esq.  
Smith & Shapiro  
116 East 27<sup>th</sup> Street  
New York, NY 10016